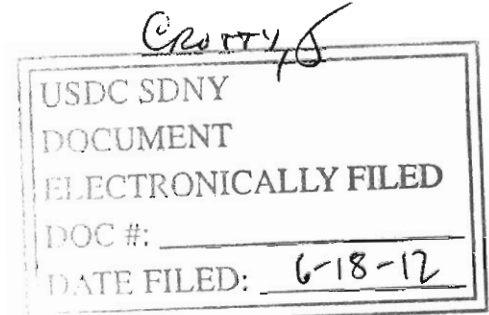


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORBITAL PUBLISHING GROUP, INC.,
Plaintiff,
-against-
BANK OF AMERICA, N.A.,
Defendant.

11 Civ. 3065 (PAC)

STIPULATION AND ORDER
ADJOURNING THE INQUEST



WHEREAS, the court issued an order on April 16, 2012 granting Defendant's motion to dismiss for lack of prosecution and scheduling a hearing to determine damages on the counterclaim, and

WHEREAS, the parties have been and are still trying to resolve the action, and

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that the inquest scheduled for June 28, 2012 is hereby adjourned to July 19, 2012; Defendant's time to file a pre-hearing brief is adjourned from June 4, 2012 to June 27, 2012; Plaintiff's opposition, if any, is adjourned from June 11, 2012 to July 6, 2012; and Defendant's reply is adjourned from June 18, 2012 to July 13, 2012.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be signed in counterparts and that facsimile copies shall be deemed originals.

Dated: New York, New York
June __, 2012

LENNON & KLEIN, P.C.

By: 

David P. Lennon, Esq.
Attorneys for Plaintiff
Orbital Publishing Group, Inc.,
410 Park Avenue, 15th Floor
New York, New York 10022
(212) 465-2020

ZEICHNER ELLMAN & KRAUSE LLP

By: 

David B. Chenkin, Esq.
Tracee E. Davis, Esq.
Attorneys for Defendant
Bank of America, N.A.
575 Lexington Avenue
New York, NY 10022
(212) 223-0400

SO ORDERED:

 6-18-12
Paul A. Roth
U.S.D.J.



ZEICHNER ELLMAN & KRAUSE LLP

575 LEXINGTON AVENUE
NEW YORK, NEW YORK 10022
(212) 223-0400
FAX: (212) 753-0396
www.zeklaw.com

35 MASON STREET
GREENWICH, CT 06830
(203) 622-0900
FAX: (203) 862-9889

DIRECT DIAL
(212) 826-5358
tdavis@zeklaw.com

103 EISENHOWER PARKWAY
ROSELAND, NJ 07068
(973) 618-9100
FAX: (973) 364-9960

June 18, 2012

BY FACSIMILE

Hon. Paul A. Crotty, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
Chambers 735, Courtroom 20-C
New York, New York 10007
Facsimile No.: (212) 805-6304

**Orbital Publishing Group, Inc. v. Bank of America, N.A.
Case No.: 11 Civ. 3065 (PAC)
(Request for Adjournment of Inquest)**

Dear Judge Crotty:

We represent Bank of America, N.A. in the above referenced matter. We write with the consent of plaintiff's, Orbital Publishing Group, Inc.'s, counsel.

Kindly find enclosed a copy of a proposed Stipulation and Order, which has been submitted to the Clerk of the Court, requesting, inter alia, an adjournment of an inquest scheduled for June 28, 2012.

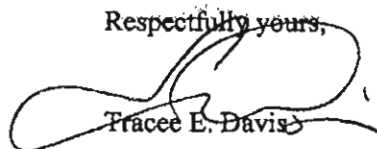
The parties have reached a settlement agreement on all terms. However, we have not reduced our agreement to writing. Accordingly, we respectfully request a 30-day adjournment of the inquest and related dates so as to give the parties sufficient time to finalize their agreement.

ZEICHNER ELLMAN & KRAUSE LLP

Hon. Paul A. Crotty, U.S.D.J.
June 18, 2012
Page 2

This is the second request for adjournment of these dates. The original date for the inquest was May 24, 2012.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Tracee E. Davis", is written over the typed name.

TED:jd
Enclosure

cc: David P. Lennon, Esq. (by email w/attachment)
David B. Chenkin, Esq. (by email w/attachment)